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Security Council

Sixty-fourth year

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Thursday, 5 November 2009, 10 a.m.
New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Artiñano
	Croatia	Mr. Vilović
	France	Mr. Belle
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Elkrekshi
	Mexico	Mr. Puente
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)

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The meeting was called to order at 10:10 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Council in the month of November, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Le Luong Minh, the Permanent Representative of Viet Nam, for his service as President of the Security Council for the month of October. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Minh and his delegation for the great diplomatic skill with which he and they conducted the Council's business last month and were able to move the Council's work forward on a number of very important issues.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)

The President: I should like to inform the Council that I have received a letter from the Permanent Representative of Guinea-Bissau, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Cabral (Guinea-Bissau) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Joseph Mutaboba, Representative of the Secretary-General and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau.

It is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.

It is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Her Excellency Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil, in her capacity as Chairperson of the Guinea-Bissau configuration of the Peacebuilding Commission.

It is so decided.

The President: I should like to inform the Council that I have received a letter dated 4 November 2009 from the Permanent Representative of Uganda to the United Nations, in which he requests that the Acting Permanent Observer of the African Union to the United Nations, His Excellency Mr. Tete Antonio, be invited to participate in the consideration of the item on the Council's agenda in accordance with rule 39 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/552, which contains the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country.

At this meeting, the Security Council will hear briefings by Mr. Joseph Mutaboba, Mr. Antonio Maria Costa, Her Excellency Mrs. Maria Luiza Ribeiro Viotti and His Excellency Mr. Tete Antonio. I now give Mr. Mutaboba the floor.

Mr. Mutaboba: It is a pleasure to be here today to introduce the thirty-sixth report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support

Office in Guinea-Bissau (UNOGBIS) (S/2009/552). Allow me just a few words to update Council members on developments in Guinea-Bissau since the report was published.

In the political arena, on 28 October, President Malam Bacai Sanhá issued two decrees changing the structure of the Government and reshuffling the Cabinet, aimed at better addressing Guinea-Bissau's challenges and at reducing expenditure. The new Cabinet was sworn in on 29 October and now has 16 ministers, as compared with 21 previously, and 12 secretaries of State, as against 10 in the previous Cabinet. It also includes five women. The major changes are in the Ministries of Foreign Affairs, the Interior, and Defence and in the Ministry in charge of the Council of Ministers. There are no changes in the key posts of Economy and Finance.

On 3 November, President Sanhá opened the 2009-2010 legislative year and called for a national stability pact and revision of the Constitution. This is very new. He also called for a holistic reform of the State, not confined only to public administration and the security sector. He called on promoters of the national conference to work with similar initiatives and come up with durable and coherent solutions. The Speaker of Parliament, Mr. Raimundo Pereira, called on Parliament to expedite laws related to security sector reform. The session has been suspended for three days' mourning for Antónia Mendes Teixeira, the parliamentary leader of the African Party for the Independence of Guinea and Cape Verde (PAIGC), who died last week in a car accident.

In the field of justice, on 3 November President Sanhá issued a decree appointing a new Prosecutor General, Mr. Amine Saad, to succeed Mr. Luis Manuel Cabral, who was in charge of the investigations into the March and June assassinations. Mr. Saad held the same position in 2000 when President Sanhá was the Interim President of the Republic.

With regard to the commission of inquiry, ensuring transparent and fair investigation of the high-profile political assassinations of March and June 2009 remains a key national priority. While the Government, the African Union, the Economic Community of West African States (ECOWAS), the Community of Portuguese-speaking Countries and the United Nations are still working together to provide experts, logistics, funding and security to the ongoing national investigations, financial commitments from partners to support the overall assistance package are necessary to move the process forward.

In the military arena, the Chief of General Staff of the Armed Forces, Zamora Induta, and his deputy, Antonio N'djai, were sworn in on 27 October. The Chief of General Staff was promoted from Navy Captain to Vice-Admiral, while his deputy was promoted from Colonel to Major General. President Sanhá stressed that the new military chiefs need to continue the process of building a republican, modern and disciplined army that is subordinate to the civilian authorities.

On security sector reform and drug trafficking, UNOGBIS organized on 21 October a meeting of the Guinea-Bissau Security Sector Reform International Partners Group to discuss the level of support provided by the international community to the Government's security sector reform programme and to achieve consensus on ways of enhancing international coordination and assistance. The diplomatic community with accreditation to Guinea-Bissau, based in Dakar, participated in the meeting through audio link.

As Chair of the Security Sector Reform International Partners Group and in accordance with Security Council resolution 1876 (2009), UNOGBIS will continue to hold regular consultations and pursue contacts with relevant partners, including the European Union, to ensure synergies in our strategies and approaches towards security sector reform in Guinea-Bissau. On 3 November, the special envoy of the African Union, João Bernardo de Miranda, led a joint African Union-ECOWAS delegation to Bissau for a two-day mission focusing on security sector reform, post-conflict reconstruction and combating drug trafficking.

Although there seems to be a downward trend in the trafficking of cocaine through West Africa over the past few months, drug trafficking and organized crime remain a significant challenge to stability in Guinea-Bissau and the subregion. On 27 and 28 October, UNOGBIS participated in a conference in Dakar aimed at discussing the implementation of the West African Coast Initiative (WACI) involving the Department of Peacekeeping Operations, the United Nations Office on Drugs and Crime, the Department of Political Affairs and INTERPOL in support of the ECOWAS Regional

Action Plan to address drug trafficking, organized crime and drug abuse in West Africa (2008-2011).

In order to pursue WACI's objectives, our Office has agreed to further strengthen inter-mission cooperation in the subregion, especially with the United Nations Integrated Peacebuilding Office in Sierra Leone, the United Nations Mission in Liberia, the United Nations Operation in Côte d'Ivoire, as well as the United Nations Office for West Africa. In addition, in coordination with relevant donors, UNOGBIS remains committed to help tackle linkages between organized crime and the trafficking of small arms.

With regard to the Peacebuilding Commission, the review of the strategic framework for peacebuilding in Guinea-Bissau is progressing. The Government has established six thematic working groups which are being proactively supported by our Office and is assessing the activities undertaken in the areas of security sector reform; strengthening of the justice sector; consolidating the rule of law and fighting drug trafficking; measures to jump-start the economy and rehabilitate infrastructure; elections and institution-building; and social questions critical for peacebuilding.

As to social and economic matters, the economic and fiscal situation remains very fragile. The International Monetary Fund (IMF) is planning to field a mission from 5 to 18 November to review the emergency post-conflict assistance to Guinea-Bissau and to discuss a poverty reduction and growth facility. A World Bank mission was in Bissau from 26 to 29 October to conduct a portfolio performance review. The Administrator of the African Development Bank (ADB) for Guinea-Bissau will be in Bissau from 4 to 7 November. The ADB Director of Operations will also be in Bissau from 15 November, towards the end of the IMF mission, to discuss budgetary support, among other matters.

On border security, the media have reported very widely on a rebel offensive begun in early October, against the Senegalese military in Casamance, close to the border between the two countries. Besides reporting alleged incursions of Senegalese troops into Guinea-Bissau in hot pursuit operations, the media also reported the alleged displacement of border markers on the extreme western part of the demarcation line between Senegal and Guinea-Bissau, in an area of tourist and offshore petroleum potential. The President's spokesperson denied the existence of any tensions between the two countries and reiterated Guinea-Bissau's willingness to support a resolution to the Casamance problem through dialogue.

A meeting between representatives of Guinea-Bissau and Senegal took place in Bissau on 23 October to discuss border issues, and both sides agreed to revive a joint cooperation commission and, among other measures, to create a joint commission to survey the area of the extreme western part of the demarcation line between the two countries to ensure that the border markers are correctly in place.

With respect to the Integrated Peacebuilding Office, Council resolution 1876 (2009) gives the future United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) a robust mandate to support the Government of Guinea-Bissau in the areas of political dialogue and national reconciliation, security sector reform — especially with respect to policing and internal security — the promotion of human rights and the rule of law, combating drug trafficking and organized crime, and assisting the work of the Peacebuilding Commission and the Peacebuilding Fund. The overall budget proposal for the new integrated office will be considered by the Advisory Committee on Administrative and Budgetary Questions next week, and it is our hope that the resources requested will be provided to help enable the much-needed and coordinated support to national authorities and the people of Guinea-Bissau.

To conclude, allow me to highlight some key points. First, the country has a Government that achieved an absolute majority in the legislative elections in November 2008, and a President from the same party who also won the presidential elections by a large margin. The defence leadership has been legitimized through the confirmation of both Chief of General Staff and his deputy. In principle, the conditions are in place for institutional harmony and a stable Government. The momentum is very favourable and we should maintain it.

However, two threats exist, one of which is internal. People do not realize the degree of hegemony in politics, with the same party ruling forever, without any opposition. The second threat comes from inter-party divisions relating to personal rather than ideological differences and which have a negative

impact on Government stability. Much depends on the governing party's ability to evolve away from exclusionary politics and to develop inclusiveness and accountability. I am confident that it will overcome this problem if we continue to support it.

Secondly, the Government's attention during a good part of the year has been focused on managing the consequences of the March and June events, and there is a perception that in other critical areas limited progress has been made. The Government must get back on track with its programme but, as I mentioned so often before in this Council, Guinea-Bissau cannot pursue this agenda alone. There is a window of opportunity for change that requires commitment and results on the part of the Government and adequate international support to address the country's short-term challenges and the long-term goals of building capacity and strengthening State institutions.

It is encouraging that the World Bank, the IMF and the ADB have fielded important missions to review their portfolios and discuss strengthening their support for the country. The international partners and the Government are planning a donor round table conference early in 2010 to address the country's development and fiscal, public administration and security sector reform needs. This agenda needs to be supported.

Thirdly, the weakness of justice has eroded the confidence of the people in public authorities. In a country with a history of unresolved politically motivated violence, a transparent and thorough investigation of the political assassinations in March and June, as well as of the alleged coup d'état in June, is important if we are to fight impunity, re-establish the confidence of the people in the justice system and, in establishing truth, contribute to forward-looking reconciliation. The investigation process and its aftermath should not lead to further destabilization, but rather should be part of the overall reconciliation process. In that connection, the international community should spare no effort to accompany this country in its pursuit of justice and reconciliation.

The President: I thank Mr. Mutaboba for his briefing.

I now give the floor to Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.

Mr. Costa: I thank the Security Council for the invitation to attend this meeting.

As members may recall, my Office had the distinction — if you can call it that — of ringing the alarm bells five years ago to warn the world about the destabilizing impact of cocaine trafficking from Latin America to Europe via West Africa, especially through Guinea-Bissau. After a couple of years of hesitation — wasted time that turned out to be quite costly, by the way — the international community started to move, prodded by the Council, and I thank all members for that.

Actions taken by the Security Council and actions promoted by the regional action plan of the Economic Community of West African States (ECOWAS), inspired by the United Nations Office on Drugs and Crime (UNODC), as well as generous bilateral support, are paying off. That is good news. Over the past 18 months, we have noted a significant drop in the number of drug seizures in West Africa, corroborated by a similarly strong decline in the number of European drug seizures, with West Africa indicated as the suspected source. As members may be aware, trends in the area of seizures are a good indicator of what is happening in terms of drug flows. Therefore, we conclude that drug trafficking through the region has declined. Yet, that trend must be interpreted cautiously. Europe's craving for cocaine persists, and international efforts may have merely displaced trafficking routes further south along the West African coast.

Furthermore, the threat to Guinea-Bissau, although less obvious than in the past, remains very serious. There have been reports of smuggling through many privately owned islands in the Bissau archipelago. The Government needs greater assistance in order to gain control over those islands, which provide safe havens for light aircraft and fast boats coming from across the Atlantic. I therefore urge the Council not to be complacent.

In addition, there are three new disturbing elements. First, a growing amount of the drugs coming into West Africa is being consumed locally. This is new, but perhaps not surprising. The low prices and ready availability of cocaine, particularly in Guinea-Bissau, cause havoc among young people, who are already distraught as a result of so many problems related to poverty, illiteracy and unemployment. And let us not forget that the foot soldiers of organized

crime — local young people — and petty traffickers are being paid in kind with coke and crack, which are then sold domestically.

Secondly, there are reports that drug use is affecting the military. That not only threatens security sector reform; as developments in neighbouring Conakry have shown, soldiers' behaviour can easily get out of control. This is not a problem unique to Bissau or Conakry; the disastrous consequences of addiction among the military have also been experienced in other parts of the world, including in rich countries. The difference is that in Guinea-Bissau, there is only one national drug treatment centre — in Quinhamel, 30 kilometres from Bissau — run by a pastor who can only offer discipline and spiritual guidance. That is hardly an alternative.

My third point is the most serious, and I would like the Council to consider it very seriously. Since July, UNODC and INTERPOL have been investigating numerous West African sites, where we have found large amounts of chemicals used in drug processing to convert pasta basica into high-grade cocaine, as well as chemical precursors for the manufacture of ecstasy. That was a shocking surprise for us, and it may be for the Council too.

While that shocking information is being processed, I want to ring a new set of alarm bells. West Africa is now on the verge of becoming a source of drugs, not just a transit area. Indeed, organized crime is growing and developing indigenous roots. Right now, those developments are taking place not in Guinea-Bissau, but across its borders. Yet, something similar is likely to happen in Bissau, where drug traffickers have acquired a significant real estate presence. The country is very vulnerable because of its poor judicial system, its obviously uncontrolled sea and airspace and its open land borders.

At UNODC, we are doing our utmost to help. As part of the West Africa Coast Initiative, and in partnership with the Department of Political Affairs, the Department of Peacekeeping Operations (DPKO) and INTERPOL, we are establishing a Transnational Crime Unit in Guinea-Bissau. We are, of course, supporting criminal justice reform as part of the peacebuilding process, by seconding our staff to the Ministry of Justice. We are working with DPKO on security sector reform and, starting in January next year, we shall have a new United Nations integrated peacebuilding office in Bissau, including a law enforcement expert in the Office of the Special Representative.

With our assistance, a team of police experts from Brazil visited Bissau in September and is now planning to establish a national police academy. Three dozen officers will undergo training in Brazil by year-end. Training programmes have been conducted for magistrates dealing with organized crime and for criminal justice experts to improve their anti-money-laundering capabilities and financial intelligence skills.

Last year, I saw first-hand the desperate state of Bissau's prisons, if one can call them that. I am therefore happy to inform the Council that, following an evaluation — again by Brazilian experts — a new prison will be built in the capital, while two others, in Bafatá and Mansôa, are to be refurbished with money from the Peacebuilding Fund. The impunity of drug traffickers — a fact of life in Guinea-Bissau until recently — will soon come to an end.

The efforts of the Security Council have been bearing fruit. Yet, the threat to Guinea-Bissau posed by drugs has not diminished; it has evolved, as I have explained, into patterns whose breadth and depth are hard to assess, but whose negative impact will surely be felt in the years ahead. I urge the Council to follow up on the international support pledged at the ECOWAS ministerial meeting, held at Praia in February this year, and at the Guinea-Bissau conference held in Lisbon late last year. It may be news to members that the ECOWAS Commission is planning to hold a new funding round table in Vienna on 3 December. I urge them to attend and to confirm their commitment to help. Guinea-Bissau needs their support, as well as their funding.

The President: I thank Mr. Costa for his briefing.

I now give the floor to Mrs. Maria Luiza Ribeiro Viotti, Chairperson of the Guinea-Bissau configuration of the Peacebuilding Commission and Permanent Representative of Brazil.

Mrs. Viotti: I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council during the month of November. I also thank you for the opportunity to participate in this meeting in my capacity as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission. In addition, I thank the Mr. Joseph Mutaboba, Representative of the Secretary-General in Guinea-

Bissau, for his comprehensive and insightful remarks on the situation in the field.

Since I last briefed the Council, on 23 June (*see S/PV.6149*), a number of developments have affected peacebuilding in Guinea-Bissau. Following the tragic assassinations in March and June, the country seems to have restored constitutional normality. The two rounds of presidential elections occurred in a peaceful manner, and the candidate of the African Party for the Independence of Guinea and Cape Verde, Malam Bacai Sanhá, was elected President.

From 7 to 12 September, I visited Bissau in order to attend the inauguration ceremony of President Sanhá and meet with the Prime Minister, members of the Government, civil society and bilateral and multilateral partners. From the many conversations I had, I could sense an atmosphere of cautious optimism. I would mention four developments among the reasons for positive expectations, which have already been highlighted by Mr. Joseph Mutaboba.

First, the fact that the President and the Prime Minister are both from the same party contributes, in principle, to strengthening political stability. The decision by the National Assembly to hold a national reconciliation dialogue focusing on the root causes of conflict and the future of the country augurs well for the peacebuilding process.

Secondly, the need to pursue security sector reform remains a top priority. The launching of a pension fund for members of the military who will be demobilized is seen as a major step in this regard.

Thirdly, Government authorities expressed their willingness to put an end to the culture of impunity. They remain interested in receiving international technical support for the work of a commission of inquiry into this year's political assassinations.

Fourthly, there has been a notable improvement in the management of public finances. The Government had been able to normalize payrolls, mostly through the mobilization of domestic resources. The growth in public revenue and the record performance of cashew nut exports illustrate the economic potential the country needs to tap into.

However, many challenges remain. In the context of security sector reform, the Government is expected to take decisions that will enable the process to move forward, in particular with regard to the establishment of the pension fund. The Economic Community of West African States (ECOWAS) has offered to organize a meeting on security sector reform in Abuja as a follow-up to the meeting held in Praia this past April, to be followed by a donors' round table next year. All stakeholders should join in supporting Guinea-Bissau, as successful security sector reform is key to the peacebuilding process in the country.

Guinea-Bissau continues to need assistance to build capacity that may enable State institutions to function properly and the rule of law to take hold. Efforts to help Guinea-Bissau build a functioning State capable of addressing basic social needs, ensuring security and promoting human rights continue to be essential.

There are still important bottlenecks hampering economic recovery. Despite a recent increase in total power generation, the production and distribution of energy is still a matter of great concern. Without adequate infrastructure, the prospects for sustained economic growth and employment generation will remain unfulfilled.

The attention given to the fight against drug trafficking in Guinea-Bissau has yielded some positive results, as reported by the United Nations Office on Drugs and Crime (UNODC), as we just heard from Mr. Antonio Maria Costa. This should be seen as an encouragement for further action and enhanced support to the country, with a view to achieving even more effective results.

During my trip to Bissau, I encouraged the national Steering Committee to review the strategic framework approved last year. Such a review would be aimed at assessing the progress achieved so far and defining, within each priority area, those aspects that will need the particular attention of the international community in the short term. I was pleased to learn that this process has already started and is progressing well. Apart from its intrinsic value, this prioritization exercise will be instrumental to informing the allocation of a second round of Peacebuilding Fund resources to Guinea-Bissau.

In the light of the importance attached to a regional approach to peacebuilding in Guinea-Bissau, I will be travelling with the Chair of the Peacebuilding Commission to Addis Ababa next week, to establish contact with African Union officials on matters of relevance to the countries on the agenda of the

Commission and, in my case, Guinea-Bissau in particular. I will also travel to Abuja in order to meet with ECOWAS officials on issues pertaining to Guinea-Bissau. I believe these trips will provide a good opportunity to strengthen cooperation with both organizations and coordinate actions in support of Guinea-Bissau.

Last but not least, I would like to reiterate the importance of a renewed and strengthened presence of the United Nations on the ground. The transformation of the United Nations Peacebuilding Support Office in Guinea-Bissau into an integrated mission, endowed with the necessary resources and staff to fulfil its mandate, is vitally important to the success of peacebuilding in Guinea-Bissau. We hope that the budget proposal for the United Nations Integrated Peacebuilding Office in Guinea-Bissau will be favourably considered in the Fifth Committee and that the new Office can start operating at full capacity as soon as possible.

The President: I now give the floor to His Excellency Mr. Tete Antonio, Acting Permanent Observer of the African Union to the United Nations.

Mr. Antonio (*spoke in French*): On behalf of the African Union, I would like to congratulate you, Mr. President, on your accession to the presidency of the Security Council. I join previous speakers in extending to you our gratitude for having organized this meeting.

Our thanks also go to your predecessor and to Mr. Joseph Mutaboba, Representative of the Secretary-General in Guinea-Bissau, for having presented the Secretary-General's exhaustive report (S/2009/552). We would like to express to Mr. Mutaboba how pleased the African Union is to see him at the head of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). The African Union also welcomes the personal role he has played in strengthening cooperation between the African Union and the United Nations in the field. This has been carried out, inter alia, through regular contacts with Mr. João Bernardo de Miranda, Special Envoy of the President of the African Union Commission, who would have liked to participate in this meeting, but was not able to do so, as he is on the way to Bissau with the joint mission of the Economic Community of West African States (ECOWAS) and the African Union.

As Council members know, the African Union, in backing the efforts of ECOWAS, and in cooperation with the United Nations and other partners, remains deeply involved in promoting positive developments in the situation in Guinea-Bissau, which has been marked for some time now by troubling instability, a critical economic situation, an army that is far larger than warranted, given the country's real needs, and the negative impact of illicit drug trafficking. The Executive Director of the United Nations Office on Drugs and Crime has just referred to this last matter.

I would recall that, since the events of July 2003, the efforts undertaken jointly by ECOWAS and the African Union have dissuaded the former junta, or Military Committee for the Restoration of Democratic Constitutional Order, from holding on to power. At that time, you will recall, the interim president of the Committee sent a special envoy, Mr. Francisco Madeira, Minister of the Presidency for Parliamentary and Diplomatic Issues of Mozambique.

Since then, the African Union has spared no effort in assisting Guinea-Bissau to extricate itself from the various crises it has experienced, including by sending special envoys and deploying observation missions during the elections held in the country, so that it might once again take its rightful place in the community of nations.

More recently, the President of the African Union Commission, Mr. Jean Ping, appointed Mr. João Bernardo de Miranda, former Minister for External Affairs of Angola, as his special envoy to Guinea-Bissau. Shortly after his appointment, he undertook a number of missions to Guinea-Bissau.

In the light of the early presidential elections held following the assassination of President Nino Vieira, and given the tensions that arose before the second round, Mr. Miranda visited Bissau with the objective of meeting with Mr. Malam Bacai Sanhá and Mr. Kumba Yala to promote conditions conducive to a successful election.

It is in this context that he obtained the signature, on the eve of the election, by his two interlocutors, of the memorandum of understanding on the results of the second round of the presidential election. In this agreement, the two candidates committed themselves to abide by and enforce the results of the elections of 26 July 2009, to utilize legal avenues in cases of possible challenges and to act in a dignified and

respectful way in their dealings with the unsuccessful candidate.

The Council will recall that this memorandum of understanding, which entered into force on the date of its signature by the relevant parties, will remain valid for the duration of the presidential mandate resulting from the presidential election of 26 July 2009. As Mr. Mutaboba painted an exhaustive picture of the elections, I will not dwell on them.

In the context of consolidating that momentum, a joint African Union-ECOWAS consultative meeting on Guinea-Bissau was held in Addis Ababa at African Union headquarters on 4 and 5 August 2009. Participants engaged in fruitful exchanges on the nature of the collaboration and the contribution of the African Union and ECOWAS in Guinea-Bissau, the financing of that effort and the relationship between the African Union-ECOWAS contribution and other efforts underway in Guinea-Bissau. The meeting then recommended the convening of a high-level preparatory meeting in Guinea-Bissau prior to the donor conference that the President of Nigeria, the current chairman of the ECOWAS Authority, is proposing to convene before the end of the year.

The objective of that meeting is to afford the Government and the people of Guinea-Bissau an opportunity to express their needs and their priorities for security sector reform, especially at the moment when a new Government is being set up. It should also be an opportunity to discuss with the authorities of Guinea-Bissau the forms of assistance that the AU and ECOWAS can provide and the modalities of that assistance.

As an extension of the consultative meeting, the heads of State and Government, gathered in Tripoli on 31 August in the framework of the special session of the African Union Assembly, also addressed the situation in Guinea-Bissau and made concrete recommendations on consolidation of peace and stability in Guinea-Bissau, the finalization of consultations with the authorities of Guinea-Bissau on the means of creating conditions favourable to the conduct of a credible inquiry into the political assassinations in that country in 2009 and the organization, before the end of 2009, of a regional conference on post-conflict reconstruction, stabilization, security sector reform and drug trafficking.

As I am here addressing this Council, the joint AU-ECOWAS mission has been at work in Guinea-Bissau since 2 November 2009. That mission is to study how to implement the Tripoli recommendations. It is clear from its first contacts that Guinea-Bissau has already undertaken substantial efforts, even though a great deal remains to be done. However, the political will and commitment of the authorities are clear.

Here, it behooves me to note that the new Government is sparing no effort to improve public finances in order to meet basic needs, including the payment of salaries, which considerably reduces its ability to contribute to the pensions funds, which everyone knows is the key to success of security sector reform.

We welcome the initiative of the National Assembly to hold a national conference to study the underlying causes of the conflict and strategies to set up to prevent future tension.

This is the place to invite the partners in the international community as a whole to become resolutely involved in the post-conflict reconstruction and development of Guinea-Bissau in order to extricate the country once and for all from the cycle of instability and violence in which it has been trapped in recent years.

The African Union welcomes the progress being made in setting up the integrated office of the United Nations in Guinea-Bissau, as well as ongoing efforts of the Peacebuilding Commission. That new momentum underway in Guinea-Bissau is worthy of everyone's support.

The President: (*spoke in French*) I thank His Excellency Mr. Tete Antonio for his presentation.

(*spoke in English*)

I now give the floor to the Permanent Representative of Guinea-Bissau, His Excellency Mr. Alfredo Lopes Cabral.

Mr. Cabral (Guinea-Bissau) (*spoke in French*): My delegation is pleased to see you, Sir, the Ambassador of Austria, presiding over the Security Council in November. I endorse the well-deserved praise that you addressed to your predecessor, the Ambassador of Vietnam.

At the outset I would like to very warmly thank the members of the Council for the interest they have

shown in the situation in Guinea-Bissau, all the more so because, thanks to the efforts that Council members are making from here in New York and the recommendations that are being followed to the letter, we in Guinea-Bissau have been able, on our part — which is as it should be — to undertake what we must do. And that is to ensure that we can increasingly deserve the confidence and assistance of the international community and also can strengthen democracy and the rule of law in my country.

I would like to thank the Representative of the Secretary-General, Mr. Mutaboba, for his briefing, which certainly complements the report of the Secretary-General (S/2009/552) before the Council.

As the Council has seen, much remains to be done in Guinea-Bissau. Nonetheless, thanks to our own efforts and, of course, to international assistance, we have been able to undertake and achieve convincing results. Above all, we were able to organize just, credible and transparent elections, elections that we hope will be the crowning achievement of a cycle that is necessary in building the rule of law.

The new President of the Republic, who took office on 8 September, wanted to stress in his inaugural statement the need to set up a new culture of dialogue in Guinea-Bissau, a culture of inclusion, to ensure that the people of Guinea-Bissau speak to each other, understand each other and can work together. I believe that that bodes well for a new era. We really want to start a new chapter so that together we can address what is important, and that is the rebuilding of our country, to make it, through an ongoing and constructive dialogue, a country calm and reconciled with itself.

However, as Mr. Mutaboba said, there are immense problems, and regardless of our determination — which does exist — and our willingness to work on what is essential, regardless of the very accurate understanding that we have of our responsibility first and foremost to solve our own problems, we will not be able to resolve every problem by ourselves, and at the same time. That is why it is important that the international community continue its efforts to support us so that we can build upon the momentum that we have started and that is a great satisfaction to us.

Yes, we do agree with Mr. Costa, the Executive Director of the United Nations Office of Drugs and Crime, that there are still problems in Guinea-Bissau. There have been results in the fight against international crime, organized crime and drug trafficking, but that question still cannot be considered resolved if we do not take into account the context of the situation, its subregional or even regional nature. That is why we are pleased with the efforts of Mr. Costa's Office. Above all, we are very pleased with the subregional understanding of the need to ensure that efforts are made in a concerted and combined fashion, and that is why we are now seeing results. We will have to continue that effort, and I can assure the Council, in the name of my Government, that we are aware of that fact.

As Mr. Mutaboba has just stated, there is, above all, a need to take action so as to enable justice to function in Guinea-Bissau. We will not be able to establish the rule of law until justice — the fundamental element on which all democratic systems are based — is able to function. Those on trial must have confidence in their justice system, the justice system must be accessible and justice must be administered in a transparent and equitable manner.

There is a great deal to be done in this area. Mr. Costa has just noted that, at present, there are not even any prisons — at least no prisons deserving of the name. In this connection, I would like to thank our partners who are helping us to build prisons equipped to receive those who are convicted and to allow them to serve out their sentences in conditions which meet international standards, especially those relating to the need to respect the most basic rights in keeping with human rights obligations.

I would like to thank Ambassador Viotti. As the Council is aware, in her capacity as Chair of the country-specific configuration of the Peacebuilding Commission for Guinea-Bissau she has devoted great efforts to ensuring that sustained attention is given to the situation in Guinea-Bissau and, in particular, to mobilizing energy and efforts in favour of my country. I would like to thank Ambassador Viotti on behalf of my country and to pay tribute, in this forum, to the pre-eminent role played by Brazil and other member States of the Community of Portuguese-speaking Countries in ensuring that Guinea-Bissau remains on the agenda, continues to be the subject of sustained attention and receive the help that it needs.

Finally, I would also like to thank my friend and colleague, the representative of the African Union, for the efforts undertaken at the continental level to ensure that Guinea-Bissau can not only get back on the path to political stability, but also put an end to the recurrent conflict that has plagued our country and mobilize ourselves and our resources — very limited as they are — in favour of development efforts.

In conclusion, having at the beginning of my remarks paid a well-earned tribute to the members of the Council, I would also like to pay a very particular tribute to the delegation of Burkina Faso — which, as members are aware, will leave the Council at the end of December — for the pre-eminent role it, as a member State of the Economic Community of West African States, has played within the Council. Council members know this better than I do. Not only has Burkina Faso drawn the attention of Council members to the specifics of the situation in Guinea-Bissau, but it has also worked to ensure that, through constructive dialogue with our partners, we will be able to achieve what really matters — that is, the goals we undertook to pursue.

I wish therefore to pay tribute to the efforts of Ambassador Kafando and to thank Burkina Faso, which, as the Council knows, plays a very important role in the subregion. We have seen this in the context of Togo, in Côte d'Ivoire and, even more recently, in the role played by President Compaoré as mediator in the crisis in Guinea-Conakry.

I would therefore like to thank all members of the Council for their support and to assure them, on behalf of the Government of Guinea-Bissau, that we will not cease — we will not cease, I repeat — to deploy our best efforts to promote dialogue, to realize the inclusion that Mr. Mutaboba seeks, so that all the sons and daughters of Guinea-Bissau may participate in managing the affairs of their country and make their contributions to constructing the rule of law, to strengthen democracy and to create the conditions for a better life for our people. That is our essential goal — to ensure that the people of Guinea-Bissau can enjoy peace, stability and development.

The President: There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.10 a.m.

United Nations S/PV.6213

Security Council

Sixty-fourth year

Provisional

6213th meeting

Thursday, 5 November 2009, 1.10 p.m.

New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Ms. He Fen
	Costa Rica	Mr. Artiñano
	Croatia	Mr. Gaļli
	France	Mr. Belle
	Japan	Mr. Kimura
	Libyan Arab Jamahiriya	Mr. Elkrekshi
	Mexico	Mr. Puente
	Russian Federation	Mr. Safronkov
	Turkey	Mr. Söylemez
	Uganda	Mr. Mugerwa
	United Kingdom of Great Britain and Northern Ireland	Mr. Harvey
	United States of America	Mr. Donegan
	Viet Nam	Mr. Dang Hoang Giang

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

09-59538 (E)

Please recycle

The meeting was called to order at 1.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)

The President: Pursuant to the decision taken at the 6212th meeting of the Security Council, I acknowledge the presence of Mr. Joseph Mutaboba, Representative of the Secretary-General and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau, pursuant to rule 39 of the Council's provisional rules of procedure.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/552, which contains the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country.

After consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council recalls its previous statements and resolutions on Guinea-Bissau, and notes the latest report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) (S/2009/552). The Council reaffirms its support for the continuing efforts to consolidate peace in that country.

"The Security Council welcomes the peaceful presidential elections that were held on 28 June and 26 July 2009 and the inauguration of President Malam Bacai Sanhá on 8 September. It also takes note of the President's commitment to combat impunity, foster national reconciliation and achieve socio-economic development. The Council reiterates that the human rights and fundamental freedoms of the people of Guinea-Bissau must be fully protected. It again urges the armed forces of Guinea-Bissau to ensure that their commitment to abide by the civilian authorities and to respect the constitutional order is fully honoured.

"The Security Council also takes note of the National Assembly's plans to convene a national conference on "Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences", and underscores the need to conduct an inclusive political dialogue process aimed at ensuring national reconciliation in the country.

"The Security Council reiterates the importance of consolidating democracy, security, the rule of law, national reconciliation and the fight against impunity to ensure sustainable peace in Guinea-Bissau. In this regard, it takes note of the ongoing consultations between the United Nations, the African Union, the Economic Community of West African States (ECOWAS) and the Community of Portuguese-speaking Countries (CPLP) to assist the Government of Guinea-Bissau, at its request, in carrying out a credible, thorough and expeditious investigation, in accordance with international standards, into the political assassinations of March and June 2009. The Security Council calls upon the Government of Guinea-Bissau to expedite this process, and calls on the above-mentioned organizations and the international community as a whole to bring their support to this end.

"The Security Council underlines the challenges faced by the Government of Guinea-Bissau, in particular to ensure that the security sector is effective, professional and accountable. In this regard, the Council emphasizes the necessity of pursuing and implementing an effective and comprehensive national strategy for security sector reform, to be supported by the international partners. The Council reiterates its request for the Secretary-General, through his Special Representative for Guinea-Bissau and the United Nations Integrated Peacebuilding Support Office in Guinea-Bissau, for an effective coordination of the support provided by the international community to security sector reform in Guinea-Bissau, taking into account the work already undertaken by the European Union and other international actors in this area.

"The Security Council urges the Government of Guinea-Bissau to take the necessary actions in the framework of the Guinea-Bissau anti-narcotics operational plan and the ECOWAS plan of action against drug trafficking and organized crime in West Africa. The Council further notes that the situation in Guinea-Bissau continues to be extremely fragile, in particular as a result of increased drug trafficking and organized crime that could pose a threat to regional stability, and should be addressed by an approach of shared responsibility. In this context, the Council welcomes the progress in implementing the West Africa Coast Initiative involving ECOWAS, commends the United Nations Office on Drugs and Crime, the Department for Peacekeeping Operations, the Department for Political Affairs and the International Criminal Police Organization (INTERPOL) in support of the fight against organized crime and drug trafficking in West Africa, and calls on the international partners to continue supporting this partnership and the efforts of the national authorities to strengthen activities on policing and internal security, including law enforcement and border control, as part of the security sector reform process.

"The Security Council calls on the international community to provide timely and adequate support for the implementation of the Strategic Framework for Peacebuilding in Guinea-Bissau, adopted on 1 October 2008 by the Peacebuilding Commission, including that of the quick-impact projects. The Council takes note of the importance of building synergies among the donors. It further takes note of the preparations for the first review of the Strategic Framework for Peacebuilding in Guinea-Bissau, and looks forward to its finalization. The Security Council reiterates its support for the work of the Peacebuilding Commission country-specific configuration on Guinea-Bissau.

"The Security Council welcomes the ongoing planning for the transition of UNOGBIS to an integrated peacebuilding office on 1 January 2010, and looks forward to the timely development of an integrated strategic framework, including a strategic workplan with appropriate benchmarks to measure and to track progress on the implementation of the new Office's mandate.

"The Security Council reiterates the importance of the regional dimension in the resolution of the problems faced by Guinea-Bissau and, in this regard, welcomes the role of ECOWAS, the African Union, the CPLP and the European Union in the peacebuilding process in that country."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2009/29.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 1.15 p.m.

United Nations S/PV.6214

Security Council

Sixty-fourth year

Provisional

6214th meeting

Friday, 6 November 2009, 10 a.m.

New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Ms. Fofana
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Hernández-Milian
	Croatia	Mr. Skračić
	France	Mr. Bonne
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Gebreel
	Mexico	Mr. Heller
	Russian Federation	Mr. Safronkov
	Turkey	Mr. Çorman
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Bui The Giang

Agenda

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/553)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

09-59689 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/553)

The President: I should like to inform the Council that I have received a letter from the Permanent Representative of Nepal, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Acharya (Nepal) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Karin Landgren, Representative of the Secretary-General and head of the United Nations Mission in Nepal.

It is so decided.

I invite Ms. Landgren to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/553, which contains the report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process.

At this meeting, the Security Council will hear a briefing by Ms. Karin Landgren. I now give Ms. Landgren the floor.

Ms. Landgren: The Secretary-General's report before the Council (S/2009/553) is being submitted pursuant to resolution 1879 (2009) of 23 July, which requested him to report, by 30 October, on the implementation of the resolution and on progress in creating conditions conducive to the completion of the activities of the United Nations Mission in Nepal (UNMIN) by the end of the current mandate, including implementation of the commitments made in the Nepalese Government's letter of 7 July (S/2009/360, annex). It surveys recent developments in Nepal's peace process. In brief, while limited progress has been made in the effort to give renewed impetus to the remaining tasks of the peace process, overall the process has faced protracted deadlock, with the added risk of confrontation.

It is three years since the Comprehensive Peace Agreement was signed and 18 months since Nepal's historic elections. The impasse that emerged following the events of May 2009, when the President revoked the Army Chief's dismissal and the Unified Communist Party of Nepal-Maoist (UCPN-M) consequently stepped down from the Government, remains unresolved. Despite continuing efforts, the level of trust among the major parties has continued to dwindle.

Much of the past three months has offered a semblance of calm. Nepal's long festive season coincided with a sharp uptick in meetings among the large political parties and fewer street protests. Now, however, the Maoists — having found no resolution to their grievances, notably on the issue of the President's powers with regard to the Army — have stepped up their disruptive protests, and on 1 November initiated a nationwide protest programme. Talks between the parties are expected to continue, but now, four months after Prime Minister Nepal and Maoist Chairman Pushpa Kamal Dahal "Prachanda" agreed formally to take measures to resolve the stalemate, their talks remain inconclusive.

While the Maoist protests have been predominantly peaceful, the past few days have seen low-level clashes in some eastern districts between the Maoist-affiliated Young Communist League and the Unified Marxist-Leninist Youth Force. In my recent discussions with the Maoist leadership, I have

indicated how seriously we take the potential for confrontation and have urged restraint. In the current climate these protest actions carry a significant risk of confrontation and violence. The Government has placed the security agencies, reportedly including the Nepal Army, on high alert. The 22 governing parties have warned that the agitations are a breach of the Comprehensive Peace Agreement. Some political actors have challenged the continued validity of the peace agreements. There is an urgent need to de-escalate the tensions and to find a framework for taking the peace process forward.

The Secretary-General's report highlights the renewed effort being made to define the modalities for the integration and rehabilitation of Maoist army personnel. The Special Committee charged with the supervision, integration and rehabilitation of Maoist army personnel resumed its work on 1 September. Its Technical Committee has also resumed its work. Concrete progress on integration and rehabilitation is likely to depend on the existence of a favourable political environment. Similarly, a new effort is under way to move forward in the near future to discharge the Maoist army personnel disqualified through UNMIN's verification. On 11 October, Government teams briefed Maoist army personnel in the main cantonment and satellite camps in Sindhuli on the discharge process and on possible support packages. This was the first such contact. The Peace Minister, senior Maoist leaders, UNMIN and the United Nations country team are cooperating to develop the modalities for discharge.

The Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, hopes to return to Nepal before the year is out to assess progress on discharge, which upon full implementation would open the door to removing the Maoists from the Secretary-General's list of parties using children in conflict.

As noted in the Secretary-General's report, the Maoists have blocked the functioning of the legislature for all but one month since May, contending that the President's reinstatement of the Army Chief was unconstitutional. They have unsuccessfully called for Parliamentary discussion on the President's action, as well as measures to rule out a recurrence. It would appear to be in the interest of the democratic process for the parties to agree, pending the promulgation of the new constitution, on the ambit of presidential authority.

Moving forward through consensus is the central challenge of the moment for the parties. As long ago as July 2008 (see S/PV.5938), my predecessor expressed concern at the breakdown of efforts to find consensus on the establishment of a coalition Government. The parties themselves have long recognized the need for a unity Government if the peace process is to be success. The impact on the peace process of a major party's being in opposition, as the Nepali Congress was previously and the Maoists are today, is evident, especially in the absence of other inter-party mechanisms to unite the parties and help address problems. The Maoists represent one party to the peace agreement and are the instrumental partner in the integration and rehabilitation of Maoist army personnel. They also hold close to 40 per cent of the seats in the Constituent Assembly, a decisive proportion in the context of the promulgation of a new constitution.

In July, the Security Council called on the Government (see resolution 1879 (2009)) to continue to take the necessary decisions to create conditions conducive to completion of UNMIN's activities. The mandate of UNMIN, originally designed for supporting the election of the Constituent Assembly, cannot go on indefinitely. The present mandate will expire in 11 weeks. During this period, the parties need to arrest the loss of momentum and invest goodwill, realism and rigour in their pursuit of sustainable peace in Nepal. Until the parties establish a clearer framework for cooperation and find ways of moving forward on major elements of the peace process, it will be difficult to plot a structured exit for UNMIN.

Three years on, a review of progress in the implementation of the major peace agreements may be overdue. The principal parties should also be encouraged to take stock of the state of the peace process. The parties themselves have repeatedly underlined their continued commitment to this process and their intention to see it through to a positive end. It would be tragic if the successes so far were permitted to unravel. Nepali politicians, civil society and commentators repeatedly draw to our attention their ability to produce agreements and consensus at the eleventh hour. It is still possible that these coming days will yield such a breakthrough. We strongly encourage the parties to recall and to repeat the cooperation which has to date yielded such significant achievements.

Let me conclude by expressing, on behalf of the United Nations Missions in Nepal, our warmest

appreciation for Ambassador Madhu Raman Acharya for his efforts, engagement and support in our shared aim. It has been a pleasure to work with him; I thank him and we wish him all the best.

The President: I thank Ms. Landgren for her briefing.

As this would seem likely to be the last time we will be able to hear and meet with the Permanent Representative of Nepal in the framework of the Security Council, I would like to associate myself on behalf of the Council and in my national capacity with Ms. Landgren's statement. Our cooperation with Ambassador Acharya has always been excellent, and we are extremely grateful for the opportunity we have had to work with him in these past years.

I now call on the Permanent Representative of Nepal.

Mr. Acharya (Nepal): At the outset, let me congratulate you, Sir, on Austria's assumption of the presidency of the Security Council for the month. I would like to thank you for organizing this briefing and for the opportunity the Council has given me to speak on behalf of Nepal. I also thank you for your kind words to me. I further thank Ms. Karin Landgren, Representative of the Secretary-General in Nepal, for her kind words.

I would like to thank the Secretary-General for his comprehensive report dated 26 October (S/2009/553) on United Nations assistance in support of the peace process in Nepal, at our request. I would also like to thank Ms. Landgren for her presentation highlighting the major issues and developments since the Council extended the mandate of the United Nations Mission in Nepal (UNMIN) in July.

Nepal's nationally driven peace process is unique in its characteristics. Since it started in June 2006, the peace process has made remarkable achievements and completed several important milestones. The signing of a Comprehensive Peace Agreement in November 2006, successful elections to the Constituent Assembly in April 2008, and the declaration of Nepal as a federal democratic republic in May that year represent some of the singular achievements of the peace process.

The Council is aware that Nepal's most inclusive Constituent Assembly is moving ahead constructively in the task of writing a new constitution, in accordance with the aspiration of the people of Nepal. The constituent parties of the present coalition Government and the political parties outside it have expressed their sincere desire to conclude the task of promulgating a new constitution, reflecting the sentiments of people of all strata of society in Nepal, by May 2010. Various thematic committees of the Constituent Assembly have been seriously engaged in this task, in which there is strong participation and cooperation from all sides. After the election of the Chairman of the Constitutional Committee, which is entrusted with producing a new draft constitution, the task of constitution-making has gained further momentum.

Similarly, the important business of the integration and rehabilitation of the armed personnel of the Unified Communist Party of Nepal-Maoist (UCPN-M) currently living in the cantonments is being undertaken by the statutory Special Committee entrusted with this task. The Committee has been reconstituted, including the representatives of the UCPN-M, and has since been meeting to devise practical guidelines, its programme of work and format of a political agreement on this subject. We are confident that the Special Committee and its Technical Committee will complete the remaining task of reaching an agreement on all issues related to the future of the cantonments. Similarly, there has been significant progress regarding the release of under-age and disqualified armed personnel in the cantonments, and this process is likely to conclude soon, as the Representative of the Secretary-General has just highlighted.

UNMIN has been doing its job in accordance with the mandate of this Council, including in the monitoring of arms and armed personnel, as per our request as stipulated in the peace agreements. It is our intention to conclude the tasks of UNMIN as soon as possible within its mandate, which expires on 23 January 2010. To that end, the Government of Nepal is committed to doing everything in its power, including by reaching the necessary political agreements required for the logical conclusion of the peace process.

In that regard, I would like to refer to a meeting held yesterday, 5 November, among the representatives of the 22 parties that constitute the coalition in the present Government. In that meeting, the parties expressed their commitment to bringing the peace process to a logical conclusion and bringing about a new constitution through the elected Constituent Assembly. They have also asked the UCPN-M to withdraw its continued blocking of the legislative

session of the Constituent Assembly in order to allow the budget to be passed, and to withdraw its agitation programmes, including the blockades of Government offices in other areas, saying that such programmes are against the spirit of the peace agreements. They have also asked the UCPN-M to be flexible towards cooperation and consensus on matters related to the peace process so as to avoid further escalation and confrontation among the parties to the peace process.

With respect to the assessment contained in the report of the Secretary-General of the nature of the Government in Nepal, the constituent parties of the Government are of the view that it is up to the parties and the sovereign legislature in Nepal to decide on the type of Government they desire. They are always open to including all the parties in the Government and have specifically asked the UCPN-M to join the coalition.

The report would have been more balanced if it had taken into account the sincere efforts made by the Government of Nepal in addressing key issues of the peace process and in resolving outstanding issues for creating conducive environment for making further progress thereof. Similarly, it is the view of the Government that the references in the report implying parity between the regular national army and the former rebel combatants living in the United Nations-monitored cantonments, who may have to be either integrated into the security forces or rehabilitated into society and their families, are not likely to facilitate a positive outcome in the ongoing negotiations on the future of the cantonments.

It is important to note that the senior political leaders of major political parties are talking to each other, and it is expected that they will soon reach an agreement to resolve the current impasse in the Legislature-Parliament and to end the street agitation so that they will be able to move forward in the spirit of dialogue and consensus stipulated in the peace agreements.

Despite occasional setbacks, Nepal's peace process has continued to make significant strides. It may sometimes seem like it is moving one step backwards, but it will eventually end up moving two steps forward. That is how we have been able to come this far. We are confident that the same spirit will guide our process to its rational end. In this important process we ask the Security Council to stay the course to help us achieve the desired outcome and to assist us in building on the momentum and progress that we have made so far.

On a personal note, since this will be my last statement in the Council as I will complete my tour of duty as Permanent Representative next week, I would like to thank you personally, Sir, the Austrian delegation, each of the members and representatives who have been working with us, and the Security Council, individually and collectively, for the constructive cooperation and support provided to the peace process in Nepal and for the friendship that they have extended to me personally.

The President: I thank the Permanent Representative of Nepal for his kind words addressed to the Council, to me personally and to the members of the Council.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.6215

Security Council

Sixty-fourth year

Provisional

6215th meeting

Monday, 9 November 2009, 10 a.m.

New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Araud
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Shcherbak
	Turkey	Mr. Apakan
	Uganda	Mr. Kafeero
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in the Great Lakes region

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09-59863 (E)

Please recycle

The meeting was called to order at 10.20 a.m.

Expression of welcome to the new Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

The President: I should like to extend, on behalf of the Security Council, a very warm welcome to our new colleague from the United Kingdom, Ambassador Sir Mark Lyall Grant, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations. I have had the privilege of working with him in the past and I am very happy that we can continue this cooperation here. I am sure that the Council membership in its entirety is looking forward to working closely with him.

Adoption of the agenda

The agenda was adopted.

The situation in the Great Lakes region

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Olusegun Obasanjo, Special Envoy of the Secretary-General on the Great Lakes Region.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Obasanjo. I now give the floor to Mr. Obasanjo.

Mr. Obasanjo: On my own behalf and on behalf of my co-facilitator, Mr. Benjamin Mkapa, former President of Tanzania, I thank the Council for receiving me today.

It has been precisely one year and two days since the Secretary-General first introduced me as his Special Envoy to the heads of State of the Great Lakes region in Nairobi. As members may recall, when we gathered in Nairobi on 7 November 2008, Laurent Nkunda's Congrès national pour la défense du peuple (CNDP) was threatening to take over Goma. The humanitarian situation in the Kivus had reached alarming proportions. At the Nairobi summit, it became clear to all how fractured relationships in the region had again become. In particular, Presidents Kagame and Kabila would neither shake hands nor speak to one another.

Today, a year after President Mkapa and I took up the challenge of helping the parties and the region to find solutions, the situation has been dramatically transformed. The humanitarian situation has greatly improved. Many internally displaced persons (IDPs) are now returning to their homes. The CNDP no longer exists as a politico-military organization. The threat to regional peace posed by the armed groups, in particular the Forces démocratiques de libération du Rwanda (FDLR), has been considerably reduced, and there has been a notable warming in regional relationships.

As members of the Council will recall, immediately after the Nairobi summit we began concerted rounds of consultation with regional heads of State. Indeed, over the course of my mandate, I have made a total of 30 visits to 10 heads of State in the region. Here, I would like to thank the Nigerian Government, and in particular President Yar'Adua, for making available to me aircraft from the presidential air fleet for all my travels in the Great Lakes region. I could not have accomplished my task without that special support.

Our first discussions with President Dos Santos provided the backdrop for my activities. At that meeting, I gained some useful insights into the underlying causes of the Congolese conflict from a leader close to the scene. From the moment of our first meetings with Presidents Kabila and Kagame, I carried messages designed to build détente and increase mutual confidence. Soon thereafter, the two Presidents renewed contact and began taking steps towards the rapprochement that we see and welcome today. The international facilitators complemented our efforts in building confidence between the two leaders.

Recognizing the urgency of peacemaking, on 15 November 2008 I also met for the first time with Laurent Nkunda. Soon, we had won the confidence and approval of all to organize direct dialogue between the CNDP and the Government of the Democratic Republic of the Congo in Nairobi. That dialogue was, at first, frustratingly slow, but in time it proved useful in opening direct channels of communication between

the Congolese Government and the CNDP and laid the groundwork for the peace agreements between the Government, the CNDP and the other armed groups on 23 March 2009.

In parallel, we continued to make regular rounds of consultation with the region. With some rapidity, the rapprochement we were encouraging began to bear fruit. It culminated in the historic decision of both countries to take decisive joint military action against one of the key sources of friction between them — the persistence of the FDLR on Congolese soil. In the course of those operations, the CNDP moved to rid itself of Laurent Nkunda. The new CNDP leadership proved more amenable to a negotiated solution. The fruit of that negotiation, again, was the 23 March agreement, the signature of which President Mkapa and I witnessed in Goma.

Since the last time I had the opportunity to address the Council members during their visit to Addis Ababa last June, I have divided my time between two dimensions of my mandate — first, encouraging the parties to accelerate the implementation of the provisions of the 23 March agreement; and secondly, enjoining the two heads of State, Presidents Kabila and Kagame, and their Governments to deepen and consolidate their rapprochement. On both fronts, I believe I can report solid success.

With respect to the 23 March agreements, there has been substantial, if not comprehensive progress. The following provisions have been or are about to be implemented. The amnesty law has been promulgated. The CNDP is now officially registered as a political party. However, other armed groups have yet to register, mainly as a result of internal disputes over leadership positions and weaknesses in their structures. Most political prisoners in Kinshasa have been released and transferred back to their regions of origin. However, delays in the liberation of prisoners persist in North Kivu.

The Congolese authorities are working closely with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to establish stabilization and reconstruction programmes within the framework of the programme for the stabilization and rebuilding of former conflict zones, which was launched last July. In most cases, the appointment of Government administrators to replace former rebel structures has taken place. However, those officials continue to lack the necessary means and support that would enable them to safely and effectively exercise their authority. MONUC and the Government of the Democratic Republic of the Congo have established a mechanism to look after orphans and the war wounded, but it has yet to become functional because of a lack of resources.

Slow and partial army integration remains an issue. It is one of the root causes of instability in the Democratic Republic of the Congo. Without concerted international support, there is little chance that military integration will be effective in the near future. That may bring back the era of warlordism.

The structured return of refugees and IDPs also remains an issue, although spontaneous returns have already increased significantly. The process leading to the return of refugees from neighbouring countries will have to be managed carefully to avoid a resumption of hostilities between communities in the Kivus.

By contrast, some important provisions of the 23 March agreement still remain unimplemented. Those include the establishment of a national reconciliation mechanism, including local reconciliation committees in the Kivus, the creation of a proximity police force, reforms to electoral law, reforms in the area of good governance and the proper control of natural resources, and the identification of means to foster the more direct participation of elements of former armed groups in the political life of the nation.

A further concern relates to recent rumours of splits within the CNDP. My team and I have continued to monitor the situation closely. We are aware of ongoing and recurring disputes over positions among the CNDP leadership. I have urged the Government of the Democratic Republic of the Congo to accelerate meeting its commitments to the armed groups under the 23 March agreement, precisely so as to prevent dissent and discontent emerging within former armed groups.

Let me now turn to the regional level. The success that has been recorded has been due in very large part to the coming together of the heads of State of the region and to the resolve of Presidents Kagame and Kabila to improve their relationship. If anything gives me hope for the future it is the rapprochement between the Democratic Republic of the Congo and Rwanda. The fruits of that rapprochement have been seen in the joint operation against the FDLR, the

historic meeting at Goma in August of this year between Presidents Kabila and Kagama, the economic cooperation on joint energy generation from butane gas in Lake Kivu, and the restoration of diplomatic relations and exchange of ambassadors, which took place within the past two weeks.

With regard to the FDLR, I believe that Operation Kimia II is achieving reasonable success. In South Kivu, for example, we found widespread support for the continuation of the Operation, which most people recognize to have helped in weakening the FDLR. While we should not downplay the humanitarian consequences of those operations, it is important that we continue to support the Congolese Government in its resolve to rid the Kivus of the FDLR, while stressing the need for the Forces armées de la République démocratique du Congo to remain mindful of the protection of civilians. International action against FDLR supporters and leaders abroad is also helpful.

In my recent meetings with Presidents Kabila and Kagame, they separately reassured me that they are very much on speaking terms. But only they will know how deep the relationship really is. I believe that the restoration of full trust between the peoples of the two countries will take some time longer. Once broken, confidence takes time to mend.

In sum, I believe that we have done much to somewhat alter the dynamic at both the national and the regional levels, but a further concern remains. But what we have successfully treated were mainly the symptoms. Most of the underlying ailments that have led to repeated crises in the region still need to be addressed. Without dealing effectively with the underlying issues, peace can neither be durable nor irreversible. One of those ailments is the continued weakness of governance institutions, and the armed forces in particular.

As the Council has heard me say on a previous occasion, in 1960 I served in eastern Congo as a young officer in what was the first United Nations peacekeeping operation there — the United Nations Operation in the Congo. Many of the difficulties that called a young Nigerian officer to the newly independent Congo persist, alas, nearly 50 years later. I am deeply conscious that, while President Benjamin Mkapa and I may have made a marked contribution, no one person, or two for that matter, can help fix the problems of the Democratic Republic of the Congo alone. Moreover, mediators should be mindful not to become irritants or unwelcome guests to their hosts. The Congolese must be encouraged and empowered to be the architects of their own future. Undue interference by neighbours and by the international community can only be counterproductive, and is not helpful.

During our meeting on 17 October, President Kabila assured President Mkapa and myself that his Government remained committed to the full implementation of the 23 March agreement. He also spoke confidently of the steadily improving relations with Rwanda and Uganda, and of the Democratic Republic of the Congo's good relationship with Burundi and Angola. On that last point, he reassured us that the recent difficulties over expulsions of Congolese citizens from Angola were the result of a misunderstanding between local authorities, and that the issue had been quickly addressed between the two countries.

President Mkapa and I informed President Kabila of our intention to wind down and take a step back from an active role in the peace process in the eastern part of the Democratic Republic of the Congo and the Great Lakes region while national and regional leaders implement measures to strengthen national peace and harmony and regional cooperation, development and solidarity. We reassured him — as we assured President Dos Santos in a subsequent meeting, on 27 October, and President Kagame on 28 October — that we remain on alert should the region need to call on our good offices again. On that basis, I therefore propose the following exit steps.

First, since our meeting, I have again written to President Kabila, urging his action to accelerate the implementation of the 23 March agreement. In a month or so from now, my team will travel to the Democratic Republic of the Congo to make a further assessment. That assessment will be reported to me and President Mkapa to see if there is any marked change either way from the situation that prevails today.

Secondly, at the end of January, President Mkapa and I will submit a final report based on our most recent assessment to the African Union leaders at their regular summit. On the margins of that summit, we hope that leaders of the Great Lakes countries will give us an opportunity to brief them also.

Thirdly, in order to provide assistance in case a new crisis should start to loom, I am working with the United Nations to consider re-tooling my existing support office in Nairobi as a very small, dedicated post, which would continue to liaise with the secretariat of the International Conference on the Great Lakes Region and assess the implementation of the 23 March agreement, monitor efforts to counter the violence of the various residual foreign armed groups at large in the broader region, and monitor the consolidation of the regional rapprochement and actions to sustain peace and make it irreversible.

Fourthly, I have stressed the urgency of addressing the underlying causes of recurring crisis. With this in mind, I recommend an umbrella approach bringing together the United Nations, the African Union, the International Conference on the Great Lakes Region and international development partners in a concerted effort to strengthen governance institutions in the Democratic Republic of the Congo.

In closing, I must thank the Security Council, the United Nations and its Secretary-General, the African Union, the International Conference on the Great Lakes Region, the heads of Governments of the region and MONUC for their vital support in all that has been accomplished. I also wish to recognize many individual Governments, particularly those of Japan, Nigeria, the United Republic of Tanzania and the United Kingdom, for their material support to my mediation efforts.

The President: I thank Mr. Obasanjo for his briefing.

There are no other speakers inscribed on my list. In accordance with the agreement reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10:45 a.m.